

FILED

FEB 05 2013

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

JUVI LINDSEY, R.N.
License # NR 12226600

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

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Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about April 13, 2012, the Board sent an inquiry to respondent at her address of record, posing questions which included a request for documentation of all nursing continuing education completed in the past four years. (Exhibit A) Although respondent retained an attorney to respond to the Board's inquiry, no documentation of continuing education was provided.¹ (Exhibit A)

CONCLUSIONS OF LAW

¹ The case file indicates that on August 17, 2012, the attorney was telephoned by a Board employee and asked to forward documentation of continuing education. No response was received.

Respondent's failure to fully respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a two hundred dollar (\$200) civil penalty and suspending Respondent's license until she fully responded was entered on November 13, 2012. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline by providing a full response to the Board's inquiry.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's delay in responding to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent

reply months later, warrants imposition of a two hundred dollar (\$200) civil penalty.

ACCORDINGLY, IT IS on this 5th day of Feb., 2013,

ORDERED that:

1. A two hundred dollar (\$200) civil penalty is hereby imposed. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy, PhD, APN
Patricia Ann Murphy, PhD, APN
Board President

EXHIBIT

A

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	
Sent To Juvi Lindsey 331 Lynn Avenue Wenonah, NJ 08090	
PS Form 3800, August 2008 See Reverse for Instructions	

Office of the Attorney General

Division of Consumer Affairs
 New Jersey Board of Nursing
 Bay Street, 6th Floor, Newark NJ 07102
consumeraffairs.gov/medical/nursing.htm



Jeffrey S. Chiesa
 Attorney General

Sharon Joyce
 Acting Director

Mailing Address:
 P.O. Box 45010
 Newark, NJ 07101
 (973) 504-6430

April 13, 2012

RE: CRIMINAL HISTORY FLAGGING

Dear Ms. Lindsey:

The Board of Nursing has received a criminal flagging notice indicating that you were arrested on 04/09/12 by the Deptford Twp. Police for 2C:12-1B Aggravated Assault. Agency Case #1200012607.

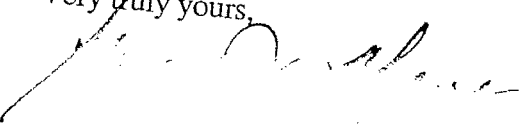
Before this matter is reviewed by the Board of Nursing to determine if this conduct warrants disciplinary action pursuant to N.J.S.A. 45:1-21(f), please forward the following information to this office within twenty (20) days of the date of this letter, to the attention of Linda Adamkowski at the address above or via facsimile at 973-648-6061 or telephone at 973-424-8151.

1. A legible copy of the municipal court complaint and disposition. The copy should indicate the charges, your plea (if applicable), the court's judgment and the court's assessment of costs, fines, jail time and/or probation (if any). (This can be obtained by calling and/or visiting the Clerk of the Municipal Court where the case was heard.)
2. If the case is still pending, provide the status of the case and keep this office informed of any major developments including dismissal, transfer to Superior Court (county level), grand jury indictment, trial dates, plea agreements, etc. Keep this office informed of any major change in status.
3. If you have been indicted by the Grand Jury, please enclose a copy of the indictment. If a criminal accusation has been filed, please enclose a copy of the Criminal Accusation.
4. If you are on or have completed probation and/or paid fines/costs, please provide proof of same. Keep this office informed of any major change in status.
5. A legible copy of the Police Report with all supporting statements. (This can be obtained by visiting the police station where you were arrested.)

6. The name and address of your current nursing employer; your job title, dates of employment, shift, type of unit worked and a copy of your most recent performance evaluation.
7. A detailed narrative statement from you regarding your version of the underlying conduct which gave rise to the crime/offense for which you were arrested.
8. **For RNs/LPNs:** Have you taken any continuing education courses within the last three years? If yes, **please provide copies of the certificates of completion.**

Please be aware that you are required to provide a timely response to this inquiry pursuant to N.J.A.C. 13:45C-1.2. -1.3. Failure to respond and provide a response within 20 days as requested will constitute a violation of the above provisions and may result in disciplinary action pursuant to N.J.S.A. 45:1-21(e) and (h), and N.J.S.A. 45:1-25.

Very truly yours,


George J. Hebert, MA, R.N.,
Executive Director

Law Offices of
Michael J. Silvanio, LLC

25 NEWTON AVENUE, SECOND FLOOR
WOODBURY, NEW JERSEY 08096
TELEPHONE: (856) 848-9301
FACSIMILE: (856) 848-1722

April 19, 2012

New Jersey Office of the Attorney General
Division of Consumer Affairs
New Jersey Board of Nursing
124 Halsey St., 6th Floor
Newark, NJ 07102

Attn: George J. Hebert, MA, R.N., Executive Director

Re: **Criminal History**

Dear Mr. Hebert:

Please be advised that this office represents Juvi Lindsey with regard to the above referenced matter. In response to your letter of April 13, 2012, please allow this letter to confirm that my client was charged on April 9, 2012 by the Deptford Township Police with one count of aggravated assault. This matter arises out of an incident involving my client and her adult daughter, June Lindsey. My client's daughter alleges that she chased her with a knife and threatened her. At this time Ms. Lindsey denies these allegations and we will be contesting them in court. I have attached herewith a copy of the summons issued against my client. I am more than happy to keep you updated with regard to any and all developments in this case.

Additionally, with respect to my clients employment, she is presently employed as an R.N. at Underwood Memorial Hospital in Woodbury. She is also in the process of continuing her education by way of on-line classes through Thomas Edison University where she is enrolled in a BSN/MSN program.

Should you have any further questions in this regard, please do not hesitate to let me know.

Thank you for your courtesy and attention.

Very truly yours,


Michael J. Silvanio

MJS:kd
cc: Juvi Lindsey

2012 APR 23 P 3:50
NEW JERSEY STATE
BOARD OF NURSING